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July 6, 2009

Ms. Laura Johnson
Remedial Project Branch Manager (3HS23)
DE, VA, WV Remedial Branch
U. S. Environmental Protection Agency, Region III
Philadelphia, PA 19103-2029

**Re: Response to Notice of Potential Liability
Gwaltney of Smithfield
Peck Iron and Metal Site
Portsmouth, VA
Our Matter No. 137430**

Dear Ms. Johnson:

Kaufman & Canoles has been engaged by Gwaltney of Smithfield (hereinafter "Smithfield Foods, Inc." or "Smithfield") with respect to the United States Environmental Protection Agency's ("EPA") investigation of the Peck Iron and Metal Site in Portsmouth, VA (the "Site"). Smithfield received a Notice of Potential Liability in this matter dated May 20, 2009 from Ms. Karen Melvin, Associate Division Director, Office of Enforcement, Hazardous Site Cleanup Division of the EPA (the "Notice Letter").

The Notice Letter encourages Smithfield to contact the EPA to express the Company's willingness or unwillingness to participate in future negotiations concerning this Site. Smithfield has reviewed the information in its own files and records as well as the material provided by EPA. This letter will confirm that Smithfield is willing to participate in future negotiations concerning the Site.

Sincerely,



David B. Graham

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